

Memorandum

Date: OCT 13 2009

To: 1. David A. Sandino
2. Raphael A. Torres

From: Richard Sanchez, Chief
Division of Engineering
Department of Water Resources

Subject: Certification of the Final Supplemental Environmental Impact Report No. 2 and
Approval of the East Branch Extension - Phase I Improvements Project

The purpose of this memorandum is to request certification of the East Branch Extension - Phase I Improvements Project (the Project) Final Supplemental Impact Report No. 2 (SEIR No. 2) and approval of the Project. The proposed modifications would enlarge the existing Crafton Hills Reservoir from the current operational storage capacity of 85 acre-feet (af) to approximately 225 af. The reservoir would be enlarged by constructing a new earth dam in the adjoining drainage to the west of the existing reservoir. A ridge separates the existing reservoir from the drainage; a notch in the ridge would be excavated to serve as a connecting channel between the existing reservoir and proposed enlargement area. The reservoir enlargement would also include construction of two new onsite maintenance roads. In addition, a ½-mile segment of pipeline would be constructed to connect the East Branch Extension pipeline to the Yucaipa Pipeline. The connector pipeline would divert imported water that otherwise would flow into Crafton Hills Reservoir to the Yucaipa Pipeline during the project construction period. The connector pipeline would also allow the Department of Water Resources (DWR) to maintain water deliveries to the East Branch Extension pipeline downstream of the Crafton Hills Reservoir while the reservoir is being enlarged. After the project is completed, the connector pipeline would remain in place to provide operational flexibility in the event of a reservoir outage.

Ed Cendler
10/12/09

Tony Becker
10/12/09

[Signature]
10/13/09

Pursuant to requirements of the Title 14 California Code of Regulations section 15000 et seq., [California Environmental Quality Act (CEQA) (Public Resources Code, Section 21000 et seq.)], DWR, as Lead Agency responsible for approving and developing the Project, must certify the following:

- An SEIR No. 2 was prepared for the Project in compliance with CEQA.
- The information and conclusions in the SEIR No. 2 reflect DWR's independent judgment.
- The information in the SEIR No. 2 was reviewed and considered before deciding whether or not to approve the Project.

DWR prepared and released the Draft SEIR No. 2 for the Project (State Clearinghouse No. 2007111106) for public review on March 13, 2009. The Notice of Completion and Notice of Availability were also submitted to the State Clearinghouse and released for public and agency review on March 13, 2009. The Notice of Availability briefly described the project information, project description, environmental effects, the locations where copies of the Draft SEIR No. 2 could be reviewed, the contact at DWR for submission of written comments and/or questions, and the date and time of the public meeting to take oral comments on the Draft SEIR. During the 45-day public review period (March 13, 2009 through April 27, 2009) DWR held a public meeting to provide interested persons with an opportunity to comment orally or in writing on the Draft SEIR No. 2 and the Project. The public meeting was held at the City of Yucaipa Community Center on April 7, 2009. During the review period 41 comments were made at the public meeting, and 8 comment letters were submitted from agencies, organizations, and individuals.

The Final SEIR No. 2 is attached to this package for your review. Included in the Final SEIR No. 2 are the responses to comments received on the Draft SEIR No. 2. The Final SEIR No. 2 was forwarded to all submitters of written comments at least ten days prior to this certification. The SEIR No. 2 evaluated impacts in the following areas: aesthetics, air quality, biological resources, cultural resources, geology, soils, seismicity, mineral resources, hazards and hazardous materials, hydrology and water quality, land use, noise, public utilities, and traffic. Growth inducement potential, cumulative impacts, and Project alternatives were also addressed in the SEIR No. 2.

For many of the environmental resource areas listed above, the impacts were identified to be less than significant or were reduced to less than significant with implementation of mitigation measures. To ensure these mitigation measures are implemented, a Mitigation Monitoring and Reporting Plan has been prepared.

The SEIR No. 2 also identified the Project's impacts to aesthetics and land use as significant and unavoidable. The short-term construction related impacts to noise and air quality are also significant and unavoidable. Therefore, a Findings of Fact and Statement of Overriding Considerations have been prepared for each significant adverse impact to the environment due to the Project.

The Draft SEIR No. 2 considered several alternatives to the Project in addition to the No Project Alternative. The alternatives consisted of raising the existing dam, constructing an enlarged reservoir elsewhere, constructing storage tanks, or constructing an enlarged reservoir of a different size. Each of these alternatives was rejected from consideration after application of three screening criteria. In accordance with the CEQA Guidelines, the No Project Alternative, which is required under CEQA 15126(d)(2), was examined in detail. The No Project Alternative would not meet any of the project objectives and therefore, is not considered superior to the proposed project.

The Findings of Facts including Findings of Fact Concerning Project Alternatives, Statement of Overriding Considerations, and Mitigation Monitoring and Reporting Plan are attached as a package for your review. Your endorsement of the package formally adopts the Findings of Facts, Statement of Overriding Considerations, and Mitigation Monitoring and Reporting Plan for the Project as required by the Lead Agency under CEQA. Additionally, execution of this memorandum certifies that the Final SEIR No. 2 was prepared in compliance with CEQA and approves the Project.


Also attached for your review and approval are three original copies of the Notice of Determination (NOD), which is required to be filed by the Lead Agency within five working days after approval of the project (CEQA 15094). Please sign all three originals of the attached NOD. One original will be filed with the Office of Planning and Research (OPR), the second will be filed with the San Bernardino County Clerk, and the third shall be added to the Project administrative record. Filing of the NOD at OPR will mark the beginning of the 30-day statute of limitations found in CEQA 15112(c)(1).

1. David A. Sandino, et al.

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After signing and dating this memorandum, the Findings of Facts and Statement of Overriding Considerations, Mitigation Monitoring and Reporting Plan, and all three NOD's, please call Ted Craddock, Program Manager of the East Branch Extension, at (916) 653-9469 for distribution. If you have any questions or need additional information about the Project, please contact me at (916) 653-3927 or your staff may contact Ted Craddock at (916) 653-9469.

FINAL SEIR No. 2 CERTIFICATION
AND PROJECT APPROVAL
RECOMMENDED:


David A. Sandino
Chief Counsel

Date 10/21/09

FINAL SEIR No. 2 CERTIFIED
AND PROJECT APPROVED:


Raphael A. Torres
Deputy Director

Date 10.26.09

Attachments:

EBX Phase I Improvements Project Final Supplemental Environmental Impact
Report No.2
Findings of Fact, Statement of Overriding Considerations, and Mitigation
Monitoring and Reporting Plan
Notice of Determination